

REMARKS

Applicants have thoroughly considered the Examiner's remarks but respectfully disagree and request further reconsideration of the application in light of the following remarks. If the Examiner feels, for any reason, that an interview will expedite prosecution of this application, applicants invite the Examiner to telephone the undersigned attorney. Claims 1-34 are presented in the application for further reconsideration.

Rejections based on 35 U.S.C 102 (e)

Claims 1-5, 12, 13, 17, 18, 20-23, 26-30, and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,377,993, issued to Brandt et al. (hereinafter Brandt).

A claim is anticipated only if each and every element as set forth in the claim is disclosed in a single prior art reference. Verdegal Bros. v. Union Oil Of California, 814 F.2d 628, 631 (Fed. Cir. 1987). In this instance, each and every element as set forth in the recited claim is not found, either expressly or inherently, in Brandt. Thus, Brandt does not anticipate the claims.

Brandt merely discloses a web-accessible bill reporting system that provides a user the ability to request billing information associated with provided services. More specifically, Brandt teaches a web-accessible bill reporting system for requesting, customizing, scheduling, and viewing various types of data reports pertaining to a customer's usage of telecommunication services.

In contrast, applicants' claim 1 recites an apparatus for managing access to transaction services offered over a network. In this instance, the invention *queries up-to-date* telecommunication transaction records for a user's account to detect an *account event* (e.g., unusual calling activity, excessive long distance charges, etc.). Each of the transaction records has a transaction cost (or charge) associated with it. The apparatus of claim 1 also recites prescribing the account event in response to a command initiated by a user from a remote computer (or server), and, upon detection of the account event, managing access to the telecommunications and messaging services as a function of the transaction cost (or charge) associated with the detected account event.

Brandt fails to teach or suggest the detection of account events from up-to-date transaction records that include transaction costs. According to the Office action, Brandt's so-called event monitor is configured to prescribe the account event and, upon detection of the event, to manage access to the telecommunications and message services. However, the action mistakenly interprets Brandt, which does not teach an event monitor configured to prescribe an account event, to detect the account event, and to manage access to the telecommunication and message service as a function of the transaction cost associated with the transaction record of the detected account event as claimed by applicants. Instead, Brandt's web-accessible bill reporting system merely provides a user with the ability to request billing information associated with provided services in the form of various reports. Moreover, Brandt does not teach or disclose an event monitor to prescribe an account event and detect the account event by *querying the up-to-date transaction records*. Although Brandt teaches a database having query generation and execution capabilities, this reference specifically indicates "[f]or real-time, or unpriced data, the user has the option of hourly, daily, weekly or monthly." Brandt, column 15, lines 60-65. As such, the rejection of claim 1 should be withdrawn. Claims 2-11 depend from claim 1 and are allowable for at least the same reasons as claim 1. Claim 12 recites an apparatus for managing access to a transaction services system that includes a billing server configured to maintain up-to-date transaction records and to query the up-to-date transaction records to detect an account event. Again, the transaction records have a transaction cost associated with them. The apparatus of claim 12 also includes a web server coupled to the billing server and configured to send transaction services and transaction information to the billing server. The web server further prescribes the account event in response to a command from a remote computer configured with a thin web client interface.

Independent claim 23 recites an account management mechanism that includes a billing server for maintaining up-to-date transaction records and managing access to transaction services corresponding to an account. The billing server of claim 23 includes database logic for storing transaction records specifying transaction details and charges corresponding to the account, and an event monitor for scheduling queries of the transaction records to detect an account event and initiating a response as a function of

the transaction charge corresponding to the transaction record of the detected account event.

Claims 28 and 34 recite an apparatus and computer-readable medium, respectively, for monitoring and controlling access to transaction services provided over an Internet from a server computer executing a web browser application. Claim 28 recites, in part, *search[ing] an up-to-date transaction services transaction database to detect said an account event*, and a database storing individual transaction or billing records that include transaction costs. Claim 34 recites querying a database to detect a prescribed account event and determine an associated transaction charge, said *database maintaining up-to-date transaction services billing records*. The transaction services billing records include individual transaction events and associated charges.

As discussed above, Brandt's system receives requests from a web-based user for a billing report. Brandt's billing system queries the Billing Detail Records (BDRs) for priced data and Call Detail Records (CDRs) for unpriced data. The Office action contends that a Call Detail Record (CDR) is defined as an accounting record produced by switches to track call type, time, duration, facilities used, originator, destination, etc. CDRs are used for customer billing, rate determination, network monitoring, and facility capacity planning. Therefore, the Office concludes that Brandt inherently discloses the query that is selected from the group consisting of calling device, device called, area called, transaction duration, transaction cost, date of transaction, and time of transaction. This conclusion is incorrect, as CDR records do not include transaction cost data. While Billing Detail Records (BDRs) may include transaction cost data, BDRs *are delayed* in time and are not up-to-date transaction records.

In addition, Brandt's system compiles a report and places the report in the user's inbox based on the user defined billing report request from a "report requester." At that time, Brandt's system sends an email or page notification to the user that the requested report is available in the user's inbox. Importantly, Brandt's system does not query the transaction records to detect an account event. Brandt's system also does not manage access to the telecommunication and message service as a function of the transaction cost when the account event is detected. Instead, the Brandt system queries are purely data look up queries to obtain the billing data that includes transaction costs based on the bill

report request from the user. Brandt's system retrieves the queries data and prepares the requested report and places the report in the user's inbox. Thus, Brandt fails to teach or suggest querying up-to-date transaction services, and the web-accessible reporting of bill data of Brandt is different than applicants' invention for managing access to telecommunications and messaging services. As such, the Examiner should withdraw rejections of claims 12, 23, 28, and 34.

Claims 13-22 depend from claim 12 and are allowable for at least the same reasons as claim 12. Claims 24-27 depend from claim 23 and are allowable for at least the same reasons as claim 23. Claim 29-31 depend from claim 28 and are allowable for at least the same reasons as claim 28.

Independent method claim 32 recites managing access to transaction services offered over a network. In this instance, the invention includes *querying up-to-date* telecommunication transaction records for a user's account to detect an *account event* and *prescribing the account event* in response to a command initiated by a user from a remote computer (or server). Upon detection of the account event, the method of claim 32 includes managing access to the telecommunications and messaging services as a function of the prescribed account event. Inasmuch as the cited reference fails to teach or suggest each and every element of claim 32, applicants request allowance of this method claim. Claim 33 depends from claim 32 and is allowable for at least the same reasons as claim 32.

Rejections based on 35 U.S.C 103 (a)

Claims 6-10, 15-18, 25-27, 31, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brandt in view of U.S. Patent No. 5,764,899 issued to Eggleston et al. (hereinafter Eggleston).

The Examiner acknowledges that Brandt fails to teach the prescribed response includes an alert response. To remedy this deficiency, however, the Examiner asserts that Eggleston teaches the prescribed response comprises an alert response. (Office action at page 5.) Notwithstanding the Examiner's statements, applicants hereby submit that Eggleston fails to remedy the deficiencies of Brandt.

The invention disclosed by Eggleston, allows a user of a remote processing device, such as a mobile client, to establish a communication path with a host system such as an e-mail server to receive a message and send an optimized reply. In particular, Eggleston discloses a system that allows a user to limit the amount of information communicated between a remote wireless user and host, both to save off-site user's time and to limit the costs arising from the more expensive rates for remote communications. Eggleston further discloses that a "rate governor" operates to track the *approximate* time and/or expense for client use, which can be as simple as timing a circuit-switched connection, or where packet data is being sent, timing (*or estimating based on size*) the time and/or cost of transmitting the packet over the tariffed network(s). Eggleston, column 13, lines 60-65.

Eggleston does not disclose the detection of account events *from up-to-date transaction records* that include transaction costs. In fact, Eggleston discloses that "in order to achieve an even more accurate billing control, the communication server could be coupled with the tariffed network service provider(s) so as to *receive periodic charge statements* for client data traffic, as well as updates for tariff rates, etc. In order to take advantage of these statements, a billing index would be maintained for each client estimating use and charges for each data transfer." Eggleston, column 15, lines 25-32. Upon receiving the periodic charge statement (*e.g., forwarded once a day during an administrative window*) the *estimated use entries* are replaced by the actual use and charges from the statement, and the client profile (and object, if active) is updated to reflect a corrected use limit. Thereafter, the administrator is notified, and the client is notified *upon the next transaction*, of the updated amount. See Eggleston, column 15, lines 32-40. In other words, the Brandt and Eggleston references, whether considered alone or in combination, fail to teach or suggest querying *up-to-date transaction records* for a user's account to detect an account event as claimed and described by applicants.

In rejecting claims 6-8, 15, 16, and 33, the Examiner asserts that Eggleston teaches the prescribed response comprises an alert response. However, the claimed "alert response" refers to a particular prescribed response (*e.g., e-mail*) when a prescribed account event is detected from an up-to-date transaction. (See application page 21, paragraph 82.) As noted previously, neither Brandt nor Eggleston disclose prescribing an

account event detected *from an up-to-date transaction*, the detection of which initiates the management of the user's access to telecommunications and messaging services based on up-to-date transactions. As these features are not taught or disclosed by Brandt or Eggleston, the Examiner should withdraw rejections of claims 6, 7, 15, and 16.

Furthermore, in rejecting claims 9-10, 17-19, 25-27, and 31 the Office asserts that Eggleston teaches the prescribed response comprises a control response. In this case, the claimed "control response" (i.e., increasing a credit limit) refers to a particular prescribed response when a prescribed account event is detected from an *up-to-date transaction*. Again, as these features are not taught or disclosed by Brandt or Eggleston, the Examiner should withdraw rejections of claims 9-10, 17-19, 25-27, and 31.

It is felt that a full and complete response has been made to the Office action and, as such, places the application in condition for allowance. Such allowance is hereby respectfully requested.

Applicant does not believe that a fee is due. If, however, the Commissioner determines otherwise, such fees may be charged to Deposit Account No. 19-1345.

Respectfully submitted,



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